



VIRGINIA DEPARTMENT OF WASTE MANAGEMENT
DIVISION OF OPERATIONS
OFFICE OF PERMITS

MEMORANDUM

To: Office of Permits Staff
FROM: Hassan Vakili
Acting Office Manager

DATE: February 18, 1993

SUBJ: Permit Fees

The permit application reviewer shall check to ensure that the appropriate fees are submitted prior to commencement of application review. However, on various occasions it can be confusing as to the amount of fee required when the proposed facility encompasses multiple waste management units; for example, a landfill and an incinerator. The following is a clarification on what fees are needed for these applications.

For a new facility proposed with multiple waste management units:

1. The Part A shall be submitted with the Part A fee for the unit requiring the highest fee, provided that the criteria for that unit will also be suitable for the other units proposed. For example, a facility proposed to have a sanitary landfill and an incinerator unit shall submit a fee for the landfill Part A review, not both the sanitary landfill and incinerator Part A fee as review of the proposed permit area under the sanitary landfill criteria will meet the incinerator criteria also.
2. For the Part B application fee, some additional determinations are needed depending on the types of units used.
 - a. In accordance with the VSWMR amendment, some facilities qualify for a permit-by-rule (PBR) (transfer stations, materials recovery facilities, incinerators/energy recovery facilities); permit-by-rules are not charged fees for processing. When a Part B application which includes PBR facilities in addition to full permit review facilities (i.e., sanitary landfill and a materials recovery facility) is received, the Part B reviewer should determine whether or not the applicant will use the permit-by-rule option for those units that qualify. If he does, the fee charged will be the Part B fee for the full review units only (i.e., only the sanitary landfill Part B fee). If the applicant wishes a full review for all units including PBR facilities, the fee charged will be as detailed in 2.b. below. For either case, the applicant will receive only one permit for the proposed facility.
 - b. Part B applications which include multiple waste management units which shall all undergo full review shall be charged depending on the level of the review for the different units. If all aspects (i.e., design & construction, operation, monitoring, closure) are reviewed for each of the waste management units, then the applicant shall be charged the sum of all Part B fees. If only a portion of the review (i.e., operational review only) is required for some of the units, then the applicant shall be

charged the full Part B fee for all units requiring only partial review. Only one permit shall be issued for these cases.

For example, if a Part B is received for a sanitary landfill and a compost facility, the Part B reviewer will need to determine if the compost facility is separate from the landfill (i.e., if the compost unit needs review of its own design & construction, operation, groundwater monitoring, closure). If the compost facility is separate, then the applicant shall be charged the full Part B review fee for both a landfill and a compost facility. In cases where the composting will occur within the landfill (i.e., placed on the lined area) and, therefore, will require only an operation review (i.e., no design & construction, closure, or groundwater monitoring review is necessary because review of the landfill information will cover this), the applicant shall be charged the Part B fee for a landfill plus the operation amendment fee for a compost facility.

Additional questions arise when a permittee desires additional waste management units on their permitted acreage. In these cases, the following guidance shall be used to determine the correct processing procedure and the appropriate fee that should have been submitted:

1. When a previously permitted facility proposes to add a PBR facility (i.e., a permittee with a landfill wishes to add a material recovery facility), no fee is charged. The applicant shall submit all required information for the permit-by-rule and a permit-by-rule will be in effect.
2. Permittees that propose to add a facility which requires full review (i.e., a sanitary landfill which wishes to add a compost facility) or a PBR facility that they wish to undergo a full review, the fee charged will be dependent on the level of review. If the additional facility requires a full Part B review (i.e., design & construction, operation, closure, groundwater monitoring, etc...), then the applicant shall be charged the applicable Part B fee for the amendment (i.e., the compost facility Part B fee). If the additional facility requires only a partial review (i.e., operational review for a compost facility), the applicant shall be charged the applicable amendment fee(s) only (i.e., operational amendment for compost facility).

Please note for facilities which hold permits issued prior to December 21, 1988, the applicant will need to submit a Part A application, except for the local government certification, and submit the applicable Part A fee. Once the Part A is reviewed, the Part B may be submitted for review.

If it is decided that the Part B is acceptable, the permit will be amended to include the additional facility. If the permit was issued after December 21, 1988, it should be determined that the additional facility is within the previously approved Part A siting area and that the siting approval previously rendered is equal to or more stringent than the siting for

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the proposed additional facility.

Concerns have arisen over the appropriate fee needed and processing requirements for landfill expansions. The following guidance shall be used in cases where a permittee proposes to expand his existing landfill:

1. For a landfill expansion within previously permitted landfill boundaries:
 - a. If the permit was issued prior to December 21, 1988, the permittee shall submit a Part A Application, except for local certification, and the appropriate Part A fee. Once the Part A is reviewed, the Part B may be submitted for review along with the appropriate Part B fee. If it was decided that the Part B is acceptable, the permit will be amended to include the expansion area.
 - b. If the permit was issued after December 21, 1988, the applicant shall submit a Part B application along with the appropriate Part B fee. If it is decided that the Part B is acceptable, the permit shall be amended to include the expansion area.
2. For a landfill expansion outside previously permitted landfill boundaries, the permittee shall submit a Part A application and the appropriate Part A fee. Once the Part A is reviewed, the Part B may be submitted for review along with the appropriate Part B fee. If it is decided that the Part B is acceptable, a new permit will be issued if the expansion area can be monitored (GWM) separately from the older area. If not, the old permit shall be amended to include the expansion area.

I hope that the above information will be of assistance for determining the appropriate fee that should be submitted and the method of processing the application. Although there may be exceptions to this guidance, for the most part the above should be used in order to standardize the information presented to the applicants by DWM staff. If there are any questions regarding the amount of fee to charge or the appropriate application processing, please contact me.

cc: James C. Adams, DWM
Francis Campbell, DWM